

**STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK**



MASTER SYLLABUS

THE AMERICAN LEGAL SYSTEM

LEST 101

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**SCHOOL OF BUSINESS AND LIBERAL ARTS
BUSINESS
SPRING 2019**

- A. **TITLE: The American Legal System**
- B. **COURSE NUMBER: LEST 101**
- C. **CREDIT HOURS: 3**
- D. **WRITING INTENSIVE COURSE: NO**
- E. **GER CATEGORY: NONE**
- F. **SEMESTER(S) OFFERED: FALL AND SPRING**
- G. **COURSE DESCRIPTION:**

A general overview of the American legal system, including federal and state court structures, the roles and responsibilities of various participants in the legal process, and the progress of civil and criminal cases through the courts.

- H. **PRE-REQUISITES/CO-REQUISITES:**
 - a. Pre-requisite(s): NONE
 - b. Co-requisite(s): NONE
 - c. Pre- or co-requisite(s): NONE

I. **STUDENT LEARNING OUTCOMES:**

<u>Course Student Learning Outcome [SLO]</u>	<u>PSLO</u>	<u>GER</u>	<u>ISLO</u>
a. Describe the structure and functions of American federal and state courts, including courts of original jurisdiction and appellate courts.	Understand and explain the structure and functions of the American legal system, including the interplay of constitutions, statutes, common law and administrative law.		Industry, Professional, Discipline Specific Knowledge and Skills
b. Explain and describe the procedural requirements for a criminal or civil case to enter the legal system.	Understand and explain the jurisdictional requirements of federal and state courts.		Industry, Professional, Discipline Specific Knowledge and Skills
c. Discuss and analyze the roles of judges, attorneys, mediators, legal assistants, and others who act within the legal system including ethical concerns.	Understand and explain the roles of judges, attorneys, mediators, legal assistants, and others who act within the legal system.		Industry, Professional, Discipline Specific Knowledge and Skills.

	Identify the ethical implications inherent in a particular situation, and evaluate the particular course of action to be taken in the face of countervailing pressures.		Social Responsibility <i>Ethical Reasoning [ER]</i> Communication Skills Written [W]
d. Examine sources of federal and state law, including state and federal constitutions, statutes, administrative law, and common law.	Understand and explain the structure and functions of the American legal system, including the interplay of constitutions, statutes, common law and administrative law.		Industry, Professional, Discipline Specific Knowledge and Skills
e. Explain the relationship of the Liberal Arts and Sciences on the one hand and law on the other.	Understand and explain the relationship of Legal Studies to the arts and sciences.		Communication Skills Written [W]

KEY	<u>Institutional Student Learning Outcomes [ISLO 1 – 5]</u>
ISLO #	ISLO & Subsets
1	Communication Skills Oral [O], Written [W]
2	Critical Thinking <i>Critical Analysis [CA], Inquiry & Analysis [IA], Problem Solving [PS]</i>
3	Foundational Skills <i>Information Management [IM], Quantitative Lit./Reasoning [QTR]</i>
4	Social Responsibility <i>Ethical Reasoning [ER], Global Learning [GL], Intercultural Knowledge [IK], Teamwork [T]</i>
5	Industry, Professional, Discipline Specific Knowledge and Skills

J. **APPLIED LEARNING COMPONENT:** Yes X No

K. **TEXTS:** Hames, J. and Ekern, Y (2019). *Introduction to Law (6th Edition)*. Pearson Education, ISBN: 9780134868240

L. **REFERENCES:** Articles of current interest and other resources placed on the course online learning site.

M. **EQUIPMENT:** Technology Enhanced Classroom.

N. **GRADING METHOD:** A-F

O. **SUGGESTED MEASUREMENT CRITERIA/METHODS:** Participation, in-class exams, final exam, assignments and research paper.

P. **DETAILED COURSE OUTLINE:**

I. Overview of Law and Legal Systems

A. Law, generally

1. Definition
2. Role

B. Legal Systems

1. Common Law
2. Civil Law

II. Sources of American Law

A. Federalism

1. Definition
2. Importance

B. Federal Law

1. Constitution
2. Statutes
3. Administrative regulations
4. Federal court decisions

C. State Law

1. Constitutions
2. Statutes
3. Administrative regulations
4. Court decisions

D. Local Law

III. Types of American Law

A. Public Law

1. Definition
2. Examples
3. Role

B. Private Law

1. Definition
2. Examples
3. Role

C. Civil Law

1. Definition
2. Examples

- 3. Role
 - 4. Overlap with private law
 - D. Criminal Law
 - 1. Definition
 - 2. Examples
 - 3. Role
 - 4. Overlap with public law
 - E. Substantive Law
 - 1. Definition
 - 2. Examples
 - 3. Role
 - 4. Importance
 - F. Procedural Law
 - 1. Definition
 - 2. Sources
 - a. Constitutional
 - b. Statutory
 - 3. Role
 - 4. Importance
- IV. Federal Courts
- A. Jurisdiction, generally
 - 1. Geographical
 - 2. Subject matter
 - 3. Hierarchical
 - B. History
 - 1. Constitutional establishment
 - 2. Statutory establishment
 - 3. Judicial review
 - C. General federal jurisdiction
 - D. Specialty Courts
- V. State Courts
- A. Structure, generally
 - 1. Trial courts
 - 2. Appellate courts
 - 3. Specialized courts
 - B. New York court structure
 - C. Jurisdiction
- VI. The Judiciary
- A. Federal
 - 1. Overview
 - 2. Selection
 - B. State
 - 1. Overview
 - 2. Selection
 - 3. New York process
 - C. Role of the judiciary
 - 1. Running trial process
 - 2. Making policy
 - 3. Proper or appropriate role of judges
 - a. Judicial activism

b. Judicial restraint

VII. Attorneys

- A. Credentials and Requirements
- B. Role in the legal process
- C. Types of attorneys
- D. Representation of the indigent
- E. Ethical requirements

VIII. Legal Assistants

- A. Role in the legal process
- B. Limitations on their actions
- C. Ethical requirements

IX. Outside Influences on the Courtroom

- A. Interest Groups
- B. Media
- C. Courts and Policy

X. Criminal Cases

- A. Parties
- B. Basic pre-trial procedures
- C. Trial procedures
- D. Procedural protections
- E. Trial
- F. Sentencing
- G. Appeal

XI. Civil Cases

- A. Parties
- B. Class-action suits
- C. Settlement
- D. Discovery
- E. Trial procedure
- F. Appeal

Q. **LABORATORY OUTLINE:** N/A